

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
Baltimore Division

IN RE:

Sharon V. Bacon
Debtor(s)

Bankruptcy No. 11-26495
Chapter 7

SRMOF 2009-1 Trust
Movant

VS.

Sharon V. Bacon

And
Michael G. Rinn, Trustee
Respondent(s)

MOTION FOR RELIEF FROM THE AUTOMATIC STAY AS TO REAL PROPERTY
KNOWN AS 3505 Copely Road, Baltimore, MD 21215

NOW COMES the Movant, SRMOF 2009-1 Trust, by and through LAW OFFICES OF JEFFREY NADEL, and Jeffrey Nadel, Esq. and Scott E. Nadel, Esq. its attorneys, pursuant to the Bankruptcy Rules and Section 362 of the Bankruptcy Code, brings this Motion for Relief from Stay against the Respondent on the following grounds:

1. That the debtors herein filed a Voluntary Petition for Relief under Chapter 7 of Title 11 of the U.S. code on or about August 11, 2011, thus initiating case number 11-26495.
2. That this Court has jurisdiction over the parties and over the issues raised by this Motion in accordance with 11 U.S.C. Section 362. The Movant is currently the note holder for this loan and is the proper party to bring this Motion.
3. That the Debtors are the owners of record of real property known as 3505 Copely Road, Baltimore, MD 21215 and further known as tax account #15-23-3114-003 in Baltimore City, Maryland.
4. That by virtue of a Deed of Trust securing a Promissory Note made by the debtors on April 27, 2006 a security interest in the aforesaid real property was granted to the benefit of the Movant in the amount of One Hundred Ninety-Six Thousand, and 00/100 Dollars (\$196,000.00). A copy of the Promissory Note and Deed of Trust are attached hereto.
5. The debtors have failed to make installments for June 2009. The Principal exceeds \$207,969.57, and in addition there are now owed late charges per month and \$550.00 attorneys fees, and costs of \$175.00 as of the time of the filing of this Motion.
6. The Movant has elected to initiate foreclosure proceedings on the property with respect to the subject Deed of Trust, but is prevented by the Automatic Stay from going forward with such foreclosure proceedings.
7. The property is not necessary for an effective reorganization.

8. Cause exists to terminate the Automatic Stay.

9. It is necessary that the Automatic Stay be lifted to allow the Movant to commence a foreclosure proceeding because at the present, the Movant is not adequately protected by the security. Continuation of the Automatic Stay denies adequate protection to the Movant.

Wherefore, your Movant prays this Court to enter an Order lifting the Automatic Stay to allow the Movant to commence a foreclosure proceeding, and for such other and further relief as this Court deems just and proper.

LAW OFFICES OF JEFFREY NADEL

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Certificate of Service

I hereby certify this 23rd day of August, 2011 that a copy of the foregoing Motion and accompanying attachments were mailed, postage prepaid, first class, to the following:

Sharon Vanessa Bacon
3505 Copely Road
Baltimore, MD 21215

The following parties have been served via ECF:

Jillian Aylward, Esq.
17 W. Jefferson Street
Suite 100
Rockville, MD 20850

Michael G. Rinn, Trustee
111 Warren Road, Suite 4
Cockeysville, MD 210310

/s/ Scott E. Nadel
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